

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LEAGUE OF WOMEN VOTERS)
OF MICHIGAN, ROGER J. BRDAK,))
FREDERICK C. DURHAL, JR.,)
JACK E. ELLIS, DONNA E.)
FARRIS, WILLIAM "BILL" J.)
GRASHA, ROSA L. HOLLIDAY,)
DIANA L. KETOLA, JON "JACK")
G. LASALLE, RICHARD "DICK")
W. LONG, LORENZO RIVERA,)
and RASHIDA H. TLAIB,)

Plaintiffs,)

v.)

RUTH JOHNSON, in her official)
Capacity as Michigan)
Secretary of State,)

Defendant.)

No. 2:17-cv-14148

Hon. Eric L. Clay
Hon. Denise Page Hood
Hon. Gordon J. Quist

**PLAINTIFFS' SECOND
SUPPLEMENTAL RESPONSE
TO DEFENDANT'S
INTERROGATORY NO. 1**

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Counsel for Plaintiffs

Plaintiffs served their initial response and objections to defendant's Interrogatory No. 1 ("Interrogatory 1") in defendant's "First Set of Interrogatories and Document Requests to Plaintiffs" ("Initial Response") on July 10, 2018, and served plaintiffs' first supplemental response ("First Supplemental Response") July 24, 2018. Plaintiffs submit this second supplemental response ("Second Supplemental Response") as contemplated by the Court's August 17, 2018 "Order Granting in Part and Denying in Part Defendant's Motion to Compel" (Dkt. No. 95).

Plaintiffs incorporate herein by reference all the responses and objections stated in plaintiffs' Initial Response and First Supplemental Response. Plaintiffs reserve the right to supplement this Second Supplemental Response based upon future depositions, documents yet to be produced by defendant or by recipients of non-party subpoenas, final deposition transcripts, and after reasonable time to review a large volume of documents recently produced by Legislative Bodies and Legislative Personnel.¹

Interrogatory 1 requests that plaintiffs, *inter alia*,

- identify "all facts of which you are aware that support your claims ... ;"
- identify "all facts of which you are aware that relate to your claims in the complaint ... ;"
- identify "all witnesses you intend to call as to a particular subject ... ;"
- "provide a detailed summary of their anticipated testimony and the documents they will refer to or use ... ;"

¹ As defined in Dkt. No. 58 at page ID #985, footnotes 1-2.

- identify all documentary evidence “on which you intend to rely to establish [certain] facts ...,” and
- otherwise to identify every document “of which you are aware that relates to your claims in the complaint.”

Interrogatory 1 as a whole, and in particular the foregoing parts of Interrogatory 1, is unreasonably burdensome, overbroad and disproportionate to the needs of this case. Plaintiffs also object to the invasion of the attorney-client privilege, work product protection, and the protection of trial preparation materials under Fed.R.Civ.P. 26.

RESPONSE

Subject to all of the foregoing, and without waiving or limiting any of the above objections, plaintiffs say in further response to Interrogatory 1:

Districts

Based on information available today, plaintiffs intend to challenge the following as gerrymandered districts violating plaintiffs’ rights under the First and Fourteenth Amendments to the Constitution of the United States:

Congress	1, 4-12
State Senate	7-15, 18, 22-24, 27, 29, 32, 36
State House	11, 12, 14, 16, 18-21, 24, 25, 30-32, 36, 39, 40, 43-45, 48-55, 57, 60, 62, 63, 65, 67-69, 75, 76, 80, 83, 87, 91, 92, 94-96, 98, 103, 105-107

As to Objections and Contention Interrogatories and Requests:

I hereby verify that the information supplied above in response to the contentions that are the subject of Interrogatory number 1 is true and accurate to the best of my information, knowledge and belief. I also sign as regards all stated objections.

Counsel for Plaintiffs

/s/ Joseph H. Yeager, Jr.

Joseph H. Yeager, Jr. (Ind. Bar No. 2083-49)

Certificate of Service

I hereby certify that on August 31, 2018, copies of the foregoing were served on counsel named below via email and first-class U.S. mail:

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/s/ Harmony Mappes